

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Karen Adams, Individually and as  
Administrator of the Estate of  
Darrell Adams, Deceased, et al.,

Plaintiffs,

v.

Gambro Healthcare, Inc., et al.,

Defendants.

Case No. 2:06-cv-00354  
JUDGE GRAHAM  
Magistrate Judge Abel

**ORDER**

Plaintiff Karen Adams brings this action alleging that Defendants negligently treated her husband, which resulted in wrongful death, medical malpractice/survivorship and loss of consortium. This matter is before the Court on Magistrate Judge Abel's August 28, 2006 Report and Recommendation that Plaintiff's motion for remand (doc. 12) be denied. No objections were filed to the Report and Recommendation.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **DENIES** Plaintiff's June 6, 2006 motion to remand. (Doc. 6.) Plaintiff's argument fails because, contrary to her claim, Gambro is not incorporated in Ohio. Thus, there is diversity of citizenship between the parties that gives this Court the subject matter jurisdiction necessary to hear this case.

It is so ORDERED.

s/James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: October 2, 2006